IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO.6270 OF 2003

Mr.R.S.Datar for the Petitioner.

Respondent No.1 in person.

Office Notes, Office Memoranda of Coram, appearances, Court's order or directions	Court's or Judge's orders
	CORAM: D.K.DESHMUKH, J.
	DATED: 13TH APRIL,2005
P.C.:	

1. What is challenged in the petition is interim order of maintenance made by the Civil Judge, Senior Division, Kalyan.

2. The main grievance of the Petitioner appears to be that the maintenance granted to his wife and children by interim order is improper and that after the interim order was made the Petitioner has lost his job. In my opinion, in these circumstances the remedy of

the Petitioner is to apply to the same court for modification of the order in view of the change in the circumstances and not to file this Writ Petition. I do not see any patent error of law committed by the court below so as to entitle this court to interfere with the interim order made by the court below, especially in relation to maintenance of wife and children in the jurisdiction of this court under Article 227 of the Constitution of India.

3. Petitioner to comply with the interim order, which is impugned in the petition, forthwith. All interim orders that may be operating in the petition shall stand vacated. Petition disposed of.

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